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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
YASUKI KATO ET AL.) Examiner: Gollamudi S. Kishore, Ph.D.
Application No.: 10/018,349) Group Art Unit: 1615
Filed: December 19, 2001)
For: METHOD OF INHIBITING)
LEAKAGE OF DRUG)
ENCAPSULATED IN LIPOSOMES) June 3, 2004

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

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STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in an Examiner's Report from a foreign Patent Office in a counterpart foreign application dated February 20, 2004. Applicants' undersigned representative did not receive the documents until May 11, 2004.

In conformity with 37 C.F.R. §1.97(f), a bona fide attempt was made to comply with 1.98, but since a "final" Official Action already issued on March 23, 2004, any submission timely made by May 20, 2004 would still have followed the final Office Action. Accordingly, Applicants respectfully submit there is no extra work required on the part of the Patent Office.

Enclosed is a check in the amount of \$180.00 to cover the fee under 37 C.F.R. §1.17(p).

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be initialled and returned indicating that such information has been considered.

Applicants undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence S. Perry", is written over a horizontal line.

Attorney for Applicants

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